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Paper No.

OBLON, SPIVAK, MCCLELLAND,  
MAIER & NEUSTADT, P.C.  
1940 DUKE STREET  
ALEXANDRIA, VA 22314

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**DEC 29 2004**

**OFFICE OF PETITIONS**

In re Application of  
John Martin,  
Jennifer St. James Cody and  
Christopher Shepley  
Application No. 10/821,949  
Filed: April 12, 2004  
Attorney Docket No. 250727US8  
Title: ELECTRONIC DISCOVERY  
APPARATUS, SYSTEM, METHOD, AND  
ELECTRONICALLY STORED COMPUTER  
PROGRAM PRODUCT

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: DECISION ACCORDING STATUS  
: UNDER 37 CFR 1.47(a)  
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This is a decision on the "PETITION UNDER 37 C.F.R. § 1.47,"  
filed October 20, 2004.

The petition is **GRANTED**.

The above-identified application was filed on April 12, 2004,  
without an executed oath or declaration. In an accompanying  
application data sheet, John Martin, Jennifer St. James Cody and  
Christopher Shepley were named as joint inventors. Accordingly,  
on June 22, 2004, a "Notice to File Missing Parts of  
Nonprovisional Application" was mailed, requiring an executed  
oath or declaration and a surcharge for its late filing. This  
Notice set a two-month period for reply, with extensions of time  
obtainable under § 1.136(a).

In response, rule 47 applicants filed the instant petition (and  
fee); the late surcharge; and a declaration executed by joint  
inventors Cody and Shepley on behalf of themselves and on behalf  
of non-signing joint inventor John Martin. This response was  
made timely by an accompanying petition for extension of time for  
response within the second month (and fee). Rule 47 applicants  
maintain that status under 37 CFR 1.47 is proper because joint  
inventor John Martin has refused to join in the application.

By declaration of patent attorney Bradley Lytle and declaration  
of Arthur Blades, President and Manager of the assignee company,  
rule 47 applicants have set forth the pertinent facts to show  
that inventor Martin has refused oral and written requests to  
sign the declaration for patent.

The petition includes the last known address of non-signing  
inventor Martin.

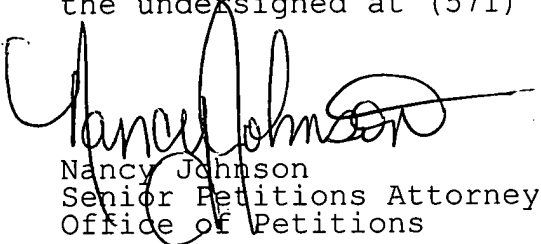
The declaration filed October 20, 2004, and the petition have been reviewed and found in compliance with 37 CFR 1.47(a).

This application is hereby accorded Rule 1.47(a) status.

As provided in new Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

The application will be examined in Technology Center AU 2171 in due course.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3219.



Nancy Johnson  
Senior Petitions Attorney  
Office of Petitions



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In re Application of :  
John Martin, Jennifer St. James Cody: :  
and Christopher Shepley : LETTER  
Application No. 10/821,949 :  
Filed: April 12, 2004 :  
Attorney Docket No. 250727US8 :  
Title: ELECTRONIC DISCOVERY :  
APPARATUS, SYSTEM, METHOD, AND :  
ELECTRONICALLY STORED COMPUTER :  
PROGRAM PRODUCT :

Dear Mr. Martin:

You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 U.S.C. 116 (United States Code) and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63. However, no action on your part is required for this patent to issue with you as a named inventor.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Nancy Johnson at (571) 272-3219. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

  
Nancy Johnson  
Senior Petitions Attorney  
Office of Petitions

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